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Division Waste Management

Section Superfund

Program IHS (IHS)

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## North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor  
William G. Ross Jr., Secretary

February 26, 2007

<SAL> <FIRST> <LAST>, County Manager  
County of <MUNICIPALITY>  
<ADDRESS>  
<TOWN>, North Carolina <ZIP>

Subject: Assessment, Cleanup, and Redevelopment of Old Landfill Sites Within Your Jurisdiction

Dear <SAL> <LAST>:

Governor Easley released his proposed budget February 22, 2007. Included in the budget is a specific item I believe should be of interest to you from a fiscal, environmental and public health protection perspective.

There are approximately 700 old landfills statewide and <LANDFILL#> old landfills in your local area that closed before the State permitting system became effective. These landfills are listed on the Old Landfill Sites portion of the Inactive Hazardous Sites Inventory maintained by the Superfund Section, Division of Waste Management. Any person, including local governments, that arranged for disposal or disposed of waste in the landfills may be held liable for the cleanup of the site. I have attached a report that identifies the location of known old landfill sites in <COUNTY NAME> County that may have closed prior to 1983 and thus qualify for the program described in this letter.

The Division has surveyed old landfills in 47 counties. The results of the survey indicate reason for concern about potential public health and safety impacts of these sites if they are not addressed. Seventy percent of the sites surveyed had a school, church, residence, day care or drinking water source within 1000 feet. The Division has found 102 old landfills that have a drinking water well within 500 feet. Thirteen of the landfills surveyed have residences built over the old landfill. The cost of assessment and cleanup of these old landfill sites can be as high as several million dollars.

Governor Easley's budget establishes a partnership between the State and local governments to both clean up the old landfill sites and provide funding for redevelopment of the sites. Many are in prime locations for redevelopment opportunities. The Governor's budget proposes to pay for cleanup and redevelopment of these sites through a surcharge on disposal of solid waste. The funding mechanism is a fair one. It is based on the idea that those who use solid waste disposal facilities should share responsibility for cleanup of sites used for solid waste disposal in the past that may have been lawful at the time, but did not meet standards that we now know are necessary to protect public health and safety.

The proposed \$2.00 per ton disposal surcharge would apply to residential, commercial, industrial, and construction and demolition debris type waste that is either disposed at a landfill or passes through a transfer station for disposal out-of-state. The State would use revenue from the surcharge to contract for cleanup of the old landfill sites and to provide grants to local government for redevelopment. The funds could also be used across the state to clean up other hazardous substance disposal sites that have no viable responsible party.

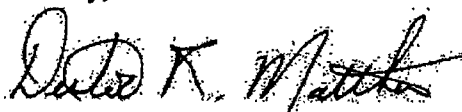
The only tool currently available to the State to ensure cleanup when it is needed is an enforcement action against those who owned, operated, or contributed to old landfills. The Governor's proposal would avoid placing an unreasonable

burden on any one local government and allow us to use our resources for actual cleanup rather than legal action. When old landfill sites were in use, North Carolina citizens, businesses, and industries benefited from their existence as a place to dispose of waste. The surcharge on waste disposal is a way for citizens, businesses, and industries to form a partnership for cleanup and redevelopment of these old landfill sites.

There is great interest this session of the General Assembly in strengthening requirements for landfills permitted in North Carolina. I encourage you to take a close look at legislation that will be introduced, specifically this initiative and what it can bring to your jurisdiction.

If you have questions regarding the program for clean-up of old landfills, please contact Jack Butler, Chief of the Superfund Section, at [jack.butler@ncmail.net](mailto:jack.butler@ncmail.net) or call (919)508-8450.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dexter R. Matthews". The signature is fluid and cursive, with the first name "Dexter" being more prominent.

Dexter R. Matthews, Director

cc: David Thompson, NCACC  
Jack Butler, Chief – Superfund Section



## North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor  
William G. Ross Jr., Secretary

February 27, 2007

<SAL> <FIRST> <LAST>  
<TITLE>, <MUNICIPALITY>  
<ADDRESS>  
<TOWN>, North Carolina <ZIP>

Subject: Assessment, Cleanup, and Redevelopment of Old Landfill Sites Within Your Jurisdiction

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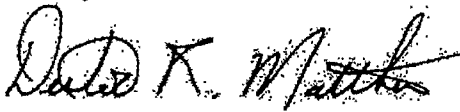
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Sincerely,

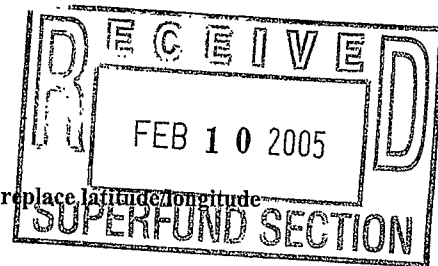
A handwritten signature in dark ink, appearing to read "Dexter R. Matthews". The signature is fluid and cursive, with the first name "Dexter" and last name "Matthews" clearly distinguishable.

Dexter R. Matthews, Director

cc: Ellis Hankins, NCLM  
Jack Butler, Chief – Superfund Section

# Old Landfill Inventory - Location Information

Latitude/Longitude and other data in this report is highly subject to inaccuracies. State Plane coordinates replace latitude/longitude entries as data is collected. These coordinates may also be subject to error.



COUNTY: CLAY

Site Name: HAYESVILLE DUMP In IHS Inventory? No  
ID Number: NONCD0000235 Other Agency Lead  
Site Address: ~~WONDERVIEW RD~~ HENTON CENTER RD. NFA or NFA-Restricted Use? No  
City: HAYESVILLE Unable to Locate ☐

State Plane X: Latitude:  
State Plane Y: Longitude: 0

Directions: ~~WONDERVIEW RD~~ OFF US 64  
HENTON CENTER RD.

LDFL Size (Acres): 4	Present Within 1000 ft of Ldfl		
Property Size (Acres): 5	Church	No	Residence On Ldfl? No
Date Open: 1958	School	No	Potable Well Within 500 ft? No
Date Closed:	Day Care	No	Adjoins Perennial SW? No
	Residential	No	

Notes: IS THIS THE SAME AS THE CLAY CO LDFL PERMIT # 22-01 IN HAYESVILLE ON SR 1148 UNDER THE SUPERVISION OF THE SWS?

YES

(End Site Record)

Number of Sites: 1 (End County Record)



## North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor

William G. Ross Jr., Secretary

January 31, 2005

Mr. Paul Leek  
County Manager  
PO Box 118  
Hayesville, North Carolina 28904

Re: Request for Information on old unlined landfills, Clay County.

Dear Mr. Leek,

The Division of Waste Management, Superfund Section, Inactive Hazardous Sites Branch (Branch) is in the process of cataloging old landfills in the state. This letter is being sent to you to solicit your cooperation in providing information on old unlined landfills that are not subject to Division of Waste Management, Solid Waste Section post-closure regulations in your county. This process is a part of a statewide effort to accurately inventory old dumpsites to aid in safe reuse and to protect public health and the environment.

Once an old landfill site has been identified, the site location, site usage, and vicinity usage is researched. Potential hazards to the public and the environment are then evaluated by risk assessment. Sites then are reviewed based on risk and/or by safe redevelopment requests.

The Branch then works with owners and responsible parties on final solutions for containment of the waste and to ensure safe reuse of the old landfill sites. Safe reuse might involve engineering controls to prevent exposure to wastes, if necessary, and restrictive covenants limiting the property to certain uses and setting conditions for construction or other soil disturbing activities. Annual reporting that restrictive covenants remain in place will be a duty of the current owner.

Known old landfills/dump sites are maintained in a database. Attached is a listing of known sites located in your county. Available information that may include location and years of operation information for each site is also listed. Please review the list and verify or provide information that will more accurately characterize the site(s). If you have knowledge of sites not included on the list, please add the additional sites along with location information, directions, years of operation, and any additional notable information.

Please return the list and any additional information within 90 days to:

Cheryl Marks  
Inactive Hazardous Sites Branch  
Superfund Section  
NC Division of Waste Management  
401 Oberlin Road - Suite 150  
Raleigh, NC 27605-1350

Or you may email me with your response at [Cheryl.Marks@ncmail.net](mailto:Cheryl.Marks@ncmail.net) or call with any questions concerning this request at (919) 733-2801, extension 283. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Cheryl Marks". The signature is written in a cursive, flowing style.

Cheryl Marks, Hydrogeologist  
Inactive Hazardous Site Branch  
NC Superfund Section



## Old Landfill Inventory - Location Information

Latitude/Longitude and other data in this report is highly subject to inaccuracies. State Plane coordinates replace latitude/longitude entries as data is collected. These coordinates may also be subject to error.

### COUNTY: CLAY

Site Name:	HAYESVILLE DUMP	In IHS Inventory?	No
ID Number:	NONCD0000235	Other Agency Lead	
Site Address:	WONDERVIEW RD	NFA or NFA-Restricted Use?	No
City:	HAYESVILLE	Unable to Locate	<input type="radio"/>

State Plane X:	Latitude:
State Plane Y:	Longitude: 0

Directions: WONDERVIEW RD OFF US 64

LDFL Size (Acres):	4	Present Within 1000 ft of Ldfl			
Property Size (Acres):	5	Church	No	Residence On Ldfl?	No
Date Open:	1958	School	No	Potable Well Within 500 ft?	No
Date Closed:		Day Care	No	Adjoins Perennial SW?	No
		Residential	No		

Notes: IS THIS THE SAME AS THE CLAY CO LDFL PERMIT # 22-01 IN HAYESVILLE ON SR 1148 UNDER THE SUPERVISION OF THE SWS?

(End Site Record)

Number of Sites: 1 (End County Record)

May 7, 1975

Mr. James Crawford  
Clay County Courthouse  
Hayesville, North Carolina 28904

*JRC*

Re: Pollution Help Line Report 2230

Dear Mr. Crawford:

The attached report has been prepared by Mr. J. W. Moore, Jr., District Sanitarian, following his investigation of your recent complaint concerning the dumping of dead animals near the Chatuge Dam in Clay County.

If this office can be of further assistance in this matter, please let us know.

Very truly yours,

Sidney H. Usry, Head  
Solid Waste & Vector Control Branch  
Sanitary Engineering Section

bm

Attachment

cc: Mr. J. W. Moore, Jr.  
Mr. Jim Patterson  
Mr. R. R. Watson  
Mrs. Jackie Wall

STATE BOARD OF HEALTH  
SANITARY ENGINEERING DIVISION  
RALEIGH, NORTH CAROLINA

REPORT OF INVESTIGATION OR INSPECTION OF P. H. L. Report No. 2230

Place visited Clay County - Area near Chatuge Dam Date May 5 1975

Address Clay County Courthouse, Hayesville, NC 28904 Time spent 3 hours

By whom Jim Patterson and J. W. Moore, Jr.

Persons contacted Mr. James Crawford and Mr. R. R. Watson  
(Owner, agent, tenant, manager, other)

Reason for visit Pollution Help Line Report 2230 -- Complainant: Mr. James Crawford  
To investigate dumping of animal carcasses on area near  
Chatuge Dam.

Copies to: Mr. James Crawford - Clay County Courthouse, Hayesville, NC 28904  
Mr. Jim Patterson - Clay County Health Dept., Hayesville, NC 28904  
Mr. R. R. Watson - T.V.A., Knoxville, Tenn. 37902  
Mrs. Jackie Wall, Pollution Help Line, Office of Water & Air Resources, Raleigh, NC

**REPORT:** Mr. Patterson and I inspected the area described in Pollution  
Help Line Report No. 2230 and found that the area is, in fact,  
being used as a dumping ground for animal carcasses.

We contacted Mr. R. R. Watson of T.V.A., described the situation to him, and indicated our belief that the dumping area is T.V.A. property. Mr. Watson agreed to refer the complaint to proper T.V.A. officials, including our recommendations that the carcasses be buried and access to the area prevented.

We met with Mr. Crawford, informed him of the steps we were taking, and promised him that we would keep this situation at our attention.

J. W. Moore, Jr.  
District Sanitarian

April 21, 1975.

Mr. James Crawford  
✓ Clay County Courthouse  
Hayesville, North Carolina 28904

*JH* Re: Pollution Help Line Report 2230

Dear Mr. Crawford:

We are sending a copy of the above complaint concerning the dumping of dead animals near the Chatuge Dam to Mr. J. W. Moore, Jr., District Sanitarian, with the request that he investigate the conditions described and make recommendations for alleviation of the problem. Mr. Moore will contact you at the time of his investigation.

If this office can be of further assistance in this matter, please let us know.

Very truly yours,

Sidney H. Usry, Head  
Solid Waste & Vector Control Branch  
Sanitary Engineering Section

bm

cc: Mr. J. W. Moore, Jr.  
Mrs. Jackie Wall

NO. 2230

# POLLUTION HELP LINE REPORT

DEPARTMENT OF NATURAL AND ECONOMIC RESOURCES

KEEP NAME CONFIDENTIALDATE: 4-16 19 75TIME: \_\_\_\_\_ AM  
PMNAME OF CALLER: Mr. James CrawfordADDRESS: Clay County Courthouse

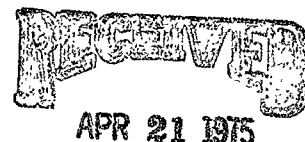
Street

P. O. Box

Hayesville, N. C. 28904

City

Zip

TELEPHONE NUMBER: 389-8231

SANITARY ENGINEERING SECTION

POINT OF POLLUTION: \_\_\_\_\_

SOURCE OF POLLUTION: \_\_\_\_\_

NATURE OF CALL: The complainant reports that an area near the Chatuge Dam is being used as a dumping ground. He observed 4 dead cows, 2 German Shephard Dogs and many cow bones. This area may be reached by traveling past the County Dump on Oak Forest Road about 100 yards and turning right on the 1st paved road. Follow this road to a dead-end which ends short of the spillway of the Chatuge Dam. This area extends several feet into the TVA property.

REPORT REFERRED TO: Mr. Marshall Staton, Div. of Health Services, Dept. of Human Resources & Dr. T. F. Zweigart, State Vet, Agriculture Department

IMMEDIATE ACTION TAKEN: \_\_\_\_\_

SIGNED

Jackie Hall

*Clay*  
*ser*

July 1, 1971

Mr. Randolph Hendrick  
Planning Coordinator  
State Planning Division  
Department of Administration  
Raleigh, North Carolina

Re: CU 71-0020  
Solid Waste Disposal System  
Clay County

Dear Mr. Hendrick:

This application describes a proposal to request Federal assistance to establish a county-wide solid waste collection and disposal system in Clay County. The estimated total project cost is \$59,880.


To understand this proposal is the Clay County portion of a 3-county system, which would include Cherokee County, North Carolina and Towns County, Georgia. While the staff of this office has not assisted in the development of this plan, we have reviewed it and concur in the concept.

Very truly yours,

Marshall Denton, Director  
Sanitary Engineering Division

cc: Mr. Gene Barrett  
Mr. J. H. Fulp

JDF/b1



SANITARY ENGINEERING  
DIVISION

1761 81 Nnr

### ACTION REQUESTED

RECEIVED

Agency \_\_\_\_\_ State Board of Health

The attached Notification to Clearinghouse of Intent to Apply for Assistance is referred to you for review and comment in accordance with Project Notification and Review System procedures established under Bureau of the Budget Circular No. A-95.

In each response, please refer to the Clearinghouse Notification No. shown above. If your agency does not wish to submit written comments, you may respond by telephone.

Please reply to: Clearinghouse and Information Center

Telephone 829-4375

1/71



DO NOT WRITE IN THIS AREA - FOR GOVERNMENT USE ONLY				
APPLICATION		REFERRAL		
FEDERAL ASSISTANCE FOR PUBLIC WORKS AND FACILITY TYPE PROJECTS		AGENCY	DATE RECEIVED	DATE REFERRED
<i>(Please read the Instructions before completing this appli- cation. Submit application in original and one copy. Attach additional sheets if necessary.)</i>				
AGENCIES ASSUMING JURISDICTION				
AGENCY		DATE	PROJECT COMPONENT	PROJECT NO.
<b>1A. APPLICANT</b> ( <i>Exact legal name or proposed name if not incorporated</i> )				
Clay County				
<b>1A. CITY OR TOWN</b> ( <i>County</i> ) ( <i>State</i> ) ( <i>Zip code</i> )				
Hayesville Clay North Carolina 28904				
<b>1B. TYPE OF ORGANIZATION</b> ( <i>Check appropriate box</i> )				
<input type="checkbox"/> STATE GOV. AGENCY <input checked="" type="checkbox"/> LOCAL GOV. UNIT <input type="checkbox"/> NON-PROFIT ORGANIZATION <input type="checkbox"/> OTHER ( <i>Specify</i> )				
2. LOCALITIES TO BE SERVED				
CITIES, TOWNS, OR AREAS ( <i>List separately</i> )	COUNTY	POPULATION		
		1960	CURRENT ( <i>Est.</i> )	TO BE SERVED BY PROJECT
Clay County	Clay	5680	5080	5080
3. DESCRIPTION AND PURPOSE OF PROPOSED PROJECT				
<b>A. DESCRIPTION</b>				
A county wide solid waste collection and disposal system. It is proposed to locate bulk containers throughout the county for people to dispose their solid waste. A compactor truck would be used to haul the solid waste to a landfill. Land will be needed for landfill and equipment for covering the waste.				
<b>B. PUBLIC INTEREST AND NECESSITY</b>				
The proper disposition of solid waste becomes a greater problem each year. The efforts of local communities to solve this problem have failed. It is now generally recognized that the problem will have to be solved by the county government.				
<b>C. PLANNING AGENCY</b> ( <i>County, Multi-county, Regional, etc.</i> )				
<input type="checkbox"/> REVIEWED BY PLANNING AGENCY ( <i>Attach comments</i> ) <input type="checkbox"/> NOT REVIEWED BY PLANNING AGENCY ( <i>If not, explain</i> )				



## 4. METHOD OF FINANCING (In thousands of dollars)

SOURCE OF FUNDS	C O M P O N E N T S				TOTAL
	Solid W A S T E		WATER	OTHER (Describe in G. below)	
	TREATMENT (1)	COLLECTION (2)			
A. FEDERAL GRANT REQUESTED	\$	\$ 25000	\$	\$	\$
B. FEDERAL LOAN REQUESTED		25000			
C. OTHER FEDERAL CONTRIBUTION					
D. STATE CONTRIBUTION					
E. APPLICANT CONTRIBUTION					
F. ESTIMATED TOTAL PROJECT COST	\$	\$ 50000	\$	\$	\$

G.

## 5. OTHER FEDERAL ASSISTANCE - PREVIOUS OR PENDING

NAME OF AGENCY	TYPE OF ASSISTANCE	INDEBTEDNESS OUTSTANDING, IF ANY	AMOUNT REQUESTED
None			

The applicant represents that the data in this application are true and correct to the best of his knowledge and belief and that the filing of this application has been duly authorized by the governing body of the applicant.

EXACT LEGAL (Corporate) NAME OF APPLICANT (If unincorporated, enter proposed name)

County of Clay (Clay County Board of Commissioners)

ATTEST (Signature of attesting officer)

*Ruby L. Ladd*  
 TITLE Clerk to the Board of Commissioners  
~~County Attorney, Clay County~~

BY (Signature of authorized officer)

*[Signature]*  
 TITLE Chairman, Clay County Board of Commissioners

NOTE: Additional Information May Be Requested To Support This Application.

(DO NOT WRITE IN THIS SPACE - FOR GOVERNMENT USE ONLY)

RECEIVED  
 JUN 17 1971